



# Friends OF THE COURT

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## Former Chief Justice Notes Worldwide Desire for Independent Courts

Former Texas Chief Justice Tom Phillips delivered the keynote address as a part of the Symposium on Judicial Elections sponsored by the Administrative Office of the Courts, the Arkansas Bar Association and the Clinton School of Public Service. Phillips, the first Republican elected as Chief Justice in Texas, has also served as the President of the U.S. Conference of Chief Justices and is currently a partner with Baker Botts in Austin, Texas. He remains active in political affairs in Texas and recently represented the Texas legislature in the legal challenge to legislative redistricting.

His speech, a part of the Clinton School Distinguished Lecture Series, emphasized the need for election reforms in state judicial campaigns and elections. "We are at a period in our country where sitting judges feel more like sitting ducks. Elected state judges are facing a unique convergence of pressures right now. First, there are more hot button issues being brought by litigants to the courts than ever before. Second, more money changes hands as a result of judicial decisions. So you have parties, whose real interest is money, pouring large sums into judicial elections but using hot button issues such as crime, family

values or abortion to attack judges that they deem to be adverse to their economic interests. The judicial branch has also become political road kill on the way to larger objectives by political parties or political consultants to use public outrage over some judicial decisions to drive turnout up and down the ballot for non-judicial candidates or issues."

Phillips noted that the greater potential loss in the fight over judicial elections is the ability of judges to render decisions based only upon the rule of law.

"We have had judicial independence for so long that we take it for

granted. That is not true in the rest of the world. The greatest movement for freedom around the world during the last sixty years has been to give courts and judges independence to protect individual freedoms and the right of judicial review. When democracy first started spreading around the world, the push was to give people the right to vote. But we soon learned that this was not enough. As the world has grown smaller commercially, the World Bank and IMF have urged multinational companies to go to certain countries, some with democracies. But  
(See **JUDICIAL INDEPENDENCE** on page 2)

## Court of Appeals Holds Oral Arguments Outside of Justice Building



Pictured: (left to right) Judge Gruber, Chief Judge Vaught, and Judge Glover.

Law students at the Bowen School of Law in Little Rock were recently given the opportunity to observe the Arkansas Court of Appeals during oral arguments that were held at the school in Little Rock. Court of Appeals Chief Judge Larry Vaught, Judge Rita

Gruber and Judge David "Mac" Glover comprised the three judge panel for the day.

At the conclusion of the two oral arguments, the judges fielded questions from the law students in the audience.

## Judicial Independence

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those companies refuse when there is no assurance of the rule of law or the enforcement of contracts.

So, in other parts of the world, what judges do and their independence is deemed to be of the highest importance both by individuals who are concerned about personal rights and by businesses concerned about the protection of their economic interests.

Our biggest competitive advantage in the 21<sup>st</sup> century is the rule of law and the existence of an independent judicial branch to enforce it. This concept is at the core of the American experience and it is the one part of our government that the rest of the world is trying to copy. We have a responsibility not only to ourselves but to the rest of the world to protect what Chief Justice Rehnquist called the 'crown jewel' of the American experiment."

## Trial Court Assistants Hold Annual Conference



**Trial Court Assistants met in Hot Springs in March for their annual conference. New officers and board members were elected for the 2012 - 2014 term.**

**Sitting (l-r):** Andrea Hicks, Vice President/2nd Circuit; Joyce Morgan, President/2nd Circuit; Lanna Clark, Secretary/9th East Circuit. **Standing (l-r):** Dawn Thompson, Nominations Committee Chair/AOC; Shannon Robinson, 2nd Vice President/6th Circuit; Janette Pedigo, Parliamentarian/14th Circuit; Bonnie Ridley, Treasurer/19th West Circuit; Chea Ball, Budget-Audit Committee Chair/19th West Circuit; Linda Walker, Bylaws Committee Chair/21st Circuit. **Not Pictured:** Sherri Daniels, Education Committee Chair/18th East Circuit & Eunie Dunkin, Past President/14th Circuit.

## Interpreter Teams – Hearing and Deaf Laney Yates, Sign Language Interpreter

The AOC provides American Sign Language interpreters to circuit and district courts for matters involving persons who are deaf or hard of hearing as a party, witness, or child or parent and provides a Hearing Interpreter/Deaf Interpreter (HI/DI) team, when necessary, to ensure efficacy of communication for the courts. A non-signing deaf or hard of hearing individual who has a command of English may be accommodated through other means such as oral interpreting, real time captioning and/or assistive listening equipment.

Most courts are familiar

with sign language interpreters but may not be familiar with the HI/DI team approach. Individuals who are deaf or hard of hearing may not be fluent in American Sign Language (ASL) or may be affected by other environmental factors combined with deafness that impact language development, resulting in limited communication skills or limited to no facility communicating in ASL. To assist the courts in protecting the individual's right to meaningfully participate in his/her case, a HI/DI team is provided to ensure the best possible linguistic match for the deaf or hard of hearing person in court.

The use of a deaf interpreter is recommended and "*presumed needed*" when the deaf or hard of hearing person is dealing with mental health issues or is a juvenile. Juveniles may have language that is not fully developed and may use a lot of slang and regional colloquialisms unique to the local deaf school.

The process of the HI/DI team may take a bit longer compared to working only with a hearing interpreter and is different in that the hearing interpreter will interpret the spoken English into standard ASL for the deaf interpreter, who

(See **INTERPRETING** on page 3)



## Pulaski County Goes “Live” with eFiling

On March 19th, Pulaski County Circuit Court became the first circuit court in Arkansas to go live with electronic filing (eFiling) for civil, probate and domestic relations cases. In the coming months, the pilot program will also begin accepting juvenile and criminal cases, which will move the court closer to reaching its goal of converting to entirely paperless filings by March of 2013.

Attorneys interested in electronic filing may now register for an eFiling account. Accounts are limited to attorneys in good standing who are licensed to practice law in the State of Arkansas. In order to participate, attorneys must submit a one-time fee of \$100 to set up the account, register for and attend training, and request an eFlex account. One hour of general CLE credit will be provided after

attending training. Open training sessions will also be available for legal staff.



**Pictured: (l-r) Steve Sipes - Pulaski County Circuit Court Administrator; Judge Vann Smith - Administrative Judge for Pulaski County Circuit Court; Amanda Armstrong - eFiling Business Analyst; Beatrice Nelson - eFiling Project Manager; Rhonda Wharton - Faulkner County Circuit Clerk; Tim Holthoff - Information Systems Director/AOC; and Alex Rogers - Contexte Program Manager.**

## Mediation in Arkansas

A new and first ever circuit court connected mediation program has been established by the Fourth Judicial District to serve all individuals with cases pending in Washington and Madison counties. The program provides mediation services to litigants in civil and domestic relations cases. Parties pay according to a sliding scale based on current federal poverty guidelines, with costs ranging from free to a maximum of \$45 per hour. The goal is to make mediation available to all litigants in the 4th Judicial District, particularly those who could not otherwise afford the services.

The mediation program in White County District Court in Searcy has recently received a financial boost. The program was initially started with a grant from the Arkansas Alternative Dispute Resolution Commission, and now the city of Searcy has appropriated monies in its 2012 budget to support the mediation program for the district court in Searcy. The program in White County served over 200 individuals in 2011, with two thirds of the cases coming to agreement.

Pulaski County District Court and Benton County District Court also have court sponsored programs. Pulaski County was the first district court mediation program and was initially funded by a grant from the Arkansas Alternative Dispute Resolution Commission. That program is now fully funded by Pulaski County. Benton County is a new district court mediation program and is funded by a start up grant from the ADR Commission.

### *Interpreting* (continued from page 2)

then interprets to the deaf person using the unique communication method of that person. When the deaf person communicates, the deaf interpreter puts his or her communication into standard ASL and then the hearing interpreter voices it into English.

The court can help the proceedings move more smoothly by providing an opportunity for the HI/DI team to review the evidence, particularly written evidentiary documents, including maps, photos, etc., before the proceeding because the evidence will be interpreted visually in court. Having the facts beforehand can aid the interpreters in a more realistic use of space, orientation and placement in interpreting to

reduce confusion and the need for clarification.

Deaf interpreters are professional interpreters who possess excellent communication skills and interpreter training but may also have specialized training and/or experience in the use of gesture, mime, props, drawings and other communication enhancement tools. The deaf interpreter has an extensive knowledge and understanding of deafness, the deaf community and deaf culture, bringing added expertise into uniquely difficult interpreting situations. If the court is made aware that communication problems may exist, please contact the Court Interpreter Services office at the AOC so that the most appropriate services can be provided.



# New faces in the Judiciary

## AOC

**Aaron Lax** – Technical Analyst  
**Terri Mikel** – Functional Specialist  
**Robin Owens** – Project Manager  
(Contract)  
**Undre R. Brunson** – Business Analyst  
**Heather Conklin** – Functional Specialist  
**Jessica Bennett** – Functional Specialist  
**Kimberly Scates** – Functional Specialist  
**Cindy Hombs** – Business Analyst

## Circuit Court Reporter

6th Circuit (Griffen) — **Neva Warford** replaces Kimela Hardin.

## District Court Clerks

Chicot County/Dermott Dept. – **Hope Whitten** replaces Sonya Mays.  
Lonoke County/Cabot Dept. – **Rachel Ellis** replaces Debi Roper.

Lincoln County/Grady District – **Deborah Vereen** replaces Cynthia Peevy.  
Clay County/Rector Dept. – **Deborah Thompson** replaces Starr Boyd.  
Scott County/Waldron Dept. – **Betty Hunt** replaces Jean Billings.  
Sebastian County/Barling Dept. – **Kim D. Bentley** replaces Cindy Dubois.  
St. Francis County/Palestine Dept. – **Dana Densmore** replaces Christie Gustavas.  
Calhoun County/Hampton Dept. – **Angela Daniell** replaces Dana Wetherbee.  
Drew County/Monticello Dept. – **Yukiko Shepherd** replaces Mandy Hogg.  
Monroe County/Brinkley Dept. – **Sabrina Maurer** replaces Arrica Brasseur.

## CALENDAR

### April

District Judges Spring 19-20  
College/Clerks Annual Meeting  
(Little Rock)

### May

Children in the Courts 2-4  
(Little Rock)

### June

Spring Judicial College/  
Judicial Council Mtg. 6-8  
(Hot Springs)

CMP Class 14 13-15  
(Little Rock)

CMP Class 13 20-22  
(Little Rock)

CMP Class 12 27-29  
(Little Rock)

*Spring has sprung!*



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Address Correction Requested

